

Dec-24-08 11:01am From-SIMBAS LTD

416595 7306

T-503 P.001/017 F-966

**1, Ashton & McKay LLP****Sim & McBurney**  
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DEC 24 2008**DATE:** December 23, 2008

Our Ref: 7865-206 MIS:jb

**Application No:** 10/517,277

<b>TO:</b>	<b>FAX #</b>	<b>PHONE #</b>
US Patent and Trademarks Office Mail Stop <u>AMENDMENT</u>	(571) 273-8300	

Total Number of Pages (Including This Page): 18**FROM:** Michael I. Stewart / 416-849-8400**COMMENTS:**


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PTO/SB/21 (11-08)

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TRANSMITTAL  
FORM

*(to be used for all correspondence after initial filing)*

Total Number of Pages In This Submission 17

Application Number

10/517,277

Filing Date

April 5, 2006

First Named Inventor

Rodka Milanova

Art Unit

1656

Examiner Name

Marsha M. Tsay

Attorney Docket Number

7865-206 MIS:jb

## ENCLOSURES (Check all that apply)

Fee Transmittal Form  
 Fee Attached

Amendment/Reply  
 After Final  
 Affidavits/declaration(s)

Extension of Time Request  
 Express Abandonment Request  
 Information Disclosure Statement

Certified Copy of Priority Document(s)  
 Reply to Missing Parts/  
 Incomplete Application  
 Reply to Missing Parts  
 under 37 CFR 1.52 or 1.53

Drawing(s)  
 Licensing-related Papers  
 Petition  
 Petition to Convert to a Provisional Application  
 Power of Attorney, Revocation  
 Change of Correspondence Address  
 Terminal Disclaimer  
 Request for Refund  
 CD, Number of CD(s) \_\_\_\_\_  
 Landscape Table on CD

 After Allowance Communication to TC Appeal Communication to Board of Appeals and Interferences Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) Proprietary Information Status Letter Other Enclosure(s) (please identify below):

## Remarks

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name Sim &amp; McBurney

Signature

Printed name Michael I. Stewart

Date December 23, 2008

Reg. No. 24,973

## CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature

Typed or printed name Michael I. Stewart

Date December 23, 2008

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO/SB/17 (10-08)

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Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Effective on 12/08/2004.

Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

**FEE TRANSMITTAL  
For FY 2009** Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$)

1100.00

*Complete if Known*

Application Number	10/517,277
Filing Date	April 5, 2006
First Named Inventor	Radka Milanova
Examiner Name	Marsha M. Tsay
Art Unit	1656
Attorney Docket No.	7865-206 MIS:jb

**METHOD OF PAYMENT** (check all that apply)

Check  Credit Card  Money Order  None  Other (please identify): \_\_\_\_\_

Deposit Account Deposit Account Number: 192253 Deposit Account Name: Sim & McBurney

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

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**FEE CALCULATION****1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	330	165	540	270	220	110	
Design	220	110	100	50	140	70	
Plant	220	110	330	165	170	85	
Reissue	330	165	540	270	650	325	
Provisional	220	110	0	0	0	0	

**2. EXCESS CLAIM FEES****Fee Description**

Each claim over 20 (including Reissues)

Each independent claim over 3 (including Reissues)

Multiple dependent claims

Total Claims	Extra Claims	Fee (\$)	Fee Paid (\$)	Multiple Dependent Claims	
				Fee (\$)	Fee Paid (\$)

- 20 or HP = \_\_\_\_\_ x \_\_\_\_\_ = \_\_\_\_\_

HP = highest number of total claims paid for, if greater than 20.

Indep. Claims	Extra Claims	Fee (\$)	Fee Paid (\$)	Multiple Dependent Claims	
				Fee (\$)	Fee Paid (\$)

8 - 3 or HP = \_\_\_\_\_ x \_\_\_\_\_ = \_\_\_\_\_

HP = highest number of independent claims paid for, if greater than 3.

**3. APPLICATION SIZE FEE**

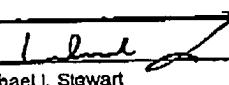
If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$270 (\$135 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
- 100 =	/ 50 =	(round up to a whole number) x	=	Fees Paid (\$)

**4. OTHER FEE(S)**

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): \_\_\_\_\_

SUBMITTED BY		Registration No. (Attorney/Agent) 24,973	Telephone 416-849-8400
Signature			
Name (Print/Type)	Michael I. Stewart		Date December 23, 2008

This collection of information is required by 37 CFR 1.138. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete. Time will vary depending upon the individual case. Any comments including gathering, preparing, and submitting the completed application form to the USPTO. If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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DEC 24 2008**

T-503 P.004/017 F-966

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Appl'n. No. : 10/517,277 Confirmation No.: 2819  
1<sup>st</sup> Named Inventor: Radka Milanova  
Filed : April 5, 2006  
Title : PROTEIN EXTRACTION FROM CANOLA OIL SEED MEAL  
TC./A.U. : 1656  
Examiner : Marsha M. Tsay  
Docket No. : 7865-206 MIS/jb  
Customer No.: 24223  
Date : December 23, 2008

**BY COURIER**

Mail Stop Amendment  
Commissioner of Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
U.S.A.

**AMENDMENT**

Sir:

In response to the Office Action of September 29, 2008, please amend the above-identified application as follows:

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 14 of this paper.

12/30/2008 EFLORES 00000102 192253 10517277  
01 FC:1614 1100.00 DA